



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt a Resolution of Intention to Vacate the 6-foot Public Utility Easement Along the North Line of Lot 189, Lakewood Subdivision, Unit No. 4; Refer the Matter to the Planning Commission; and Set a Public Hearing for February 21, 2001

MEETING DATE: January 17, 2001

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a Resolution of Intention to abandon the public utility easement along the north six (6) feet of Lot 189 of Lakewood Subdivision, Unit No. 4; refer the matter to the Planning Commission for approval; and set a public hearing for the regular Council meeting of February 21, 2001.

BACKGROUND INFORMATION: In 1967, a 10-foot public utility easement was dedicated along the north property line of Lot 189 on the Lakewood, Unit No. 4 final map. On October 13, 1976, due to non-use, the City of Lodi recorded an order of vacation reducing the public utility easement to 6 feet. Currently, the 6-foot easement is utilized for electrical utility purposes.

In 1999, a 30-foot strip of land situated along the toe of the levee adjoining Lot 189 was purchased from the City of Lodi. The existing 6-foot easement lies immediately south of the 30-foot strip, as shown on the attached Exhibit A. The property owner has requested that the 6-foot easement be abandoned to facilitate planned improvements to the property. The proposed abandonment does not include the west 10 feet and the east 5 feet of existing public utility easements along the west and east property lines of Lot 189. The property owner has dedicated a new public utility easement and consented to pay the cost of relocating the power pole and utility lines.

The City of Lodi Electric Utility Department, Water/Wastewater Division, PG&E, Pacific Bell, and AT&T Broadband have approved the abandonment of the existing 6-foot public utility easement on the condition a public utility easement be dedicated to accommodate the relocated pole and conduit.

FUNDING: Not applicable.

Richard C. Prima, Jr.
Public Works Director

Prepared by Jeannie Matsumoto, Senior Engineering Technician
RCP/JHM/lm
Attachment
cc: Randy Hays, City Attorney
Rad Bartlam, Community Development Director

APPROVED: _____

H. Dixon Flynn -- City Manager



CITY OF LODI

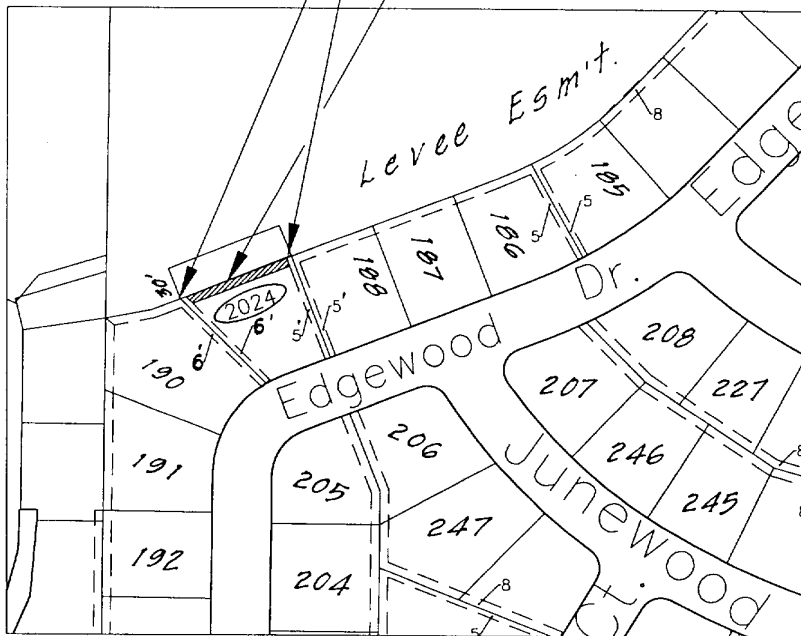
PUBLIC WORKS DEPARTMENT

EXHIBIT A

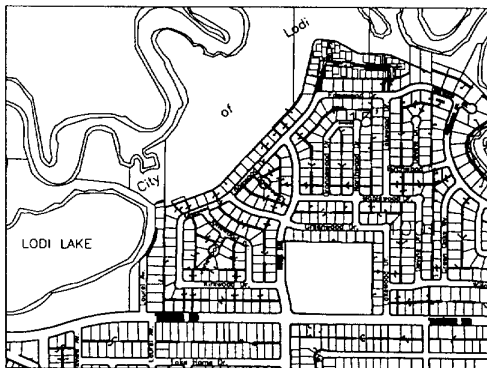
PUBLIC UTILITY EASEMENT
ABANDONMENT

SAVE AND EXCEPT the West 6-ft and the
East 5-ft of Lot 189.

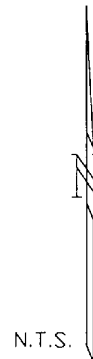
Proposed abandonment of the
North 6-ft of Lot 189



DETAIL



VICINITY MAP



RESOLUTION NO. 2001-10

A RESOLUTION OF THE LODI CITY COUNCIL
DECLARING ITS INTENTION TO VACATE THE 6-FOOT
PUBLIC UTILITY EASEMENT ALONG THE NORTH LINE
OF LOT 189, LAKEWOOD SUBDIVISION, UNIT NO. 4

=====

BE IT RESOLVED by the City Council of the City of Lodi as follows:

It is the intention of the City Council of the City of Lodi, acting in accordance with the provisions of Section 8300 et seq. of the Streets and Highways Code of the State of California, to vacate and abandon the public utility easement along the North line of Lot 189, Lakewood Subdivision, Unit No. 4, as shown on Exhibit A attached hereto and thereby made a part hereof.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, February 21, 2001, at the hour of 7:00 p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard.

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of easement vacation conspicuously along the line of the easement hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California.

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to February 21, 2001 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: January 17, 2001

=====

I hereby certify that Resolution No. 2001-10 was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 17, 2001, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Pennino and Mayor Nakanishi

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk

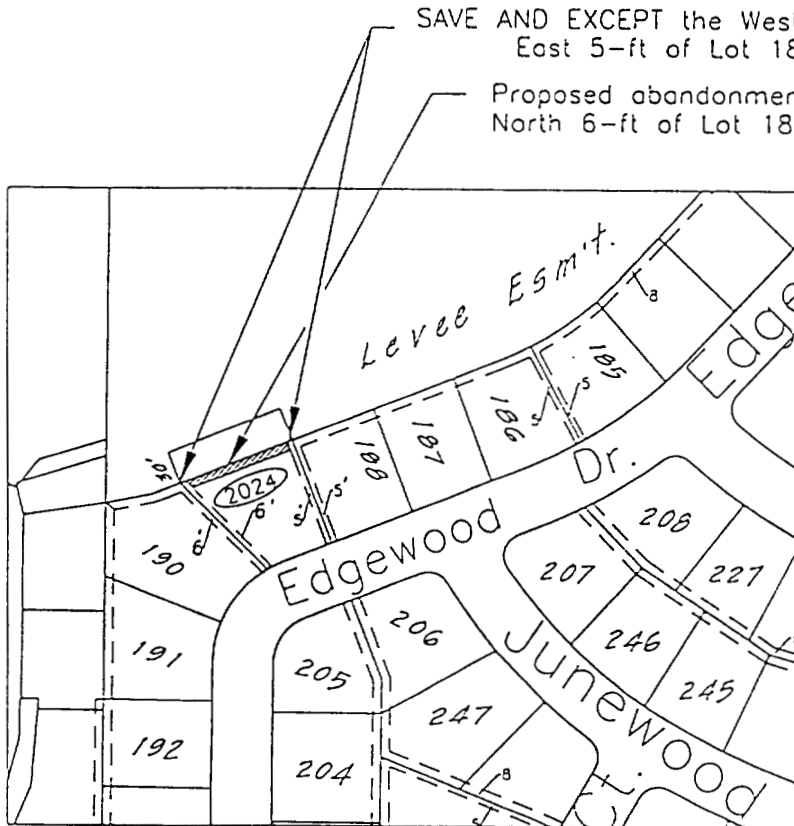


CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT A

PUBLIC UTILITY EASEMENT
ABANDONMENT



DETAIL



VICINITY MAP



N.T.S.



DECLARATION OF MAILING

RESOLUTION OF THE LODI CITY COUNCIL AND PUBLIC HEARING NOTICE
DECLARING THE INTENTION TO VACATE THE 6-FOOT PUBLIC UTILITY
EASEMENT ALONG THE NORTH LINE OF LOT 189, LAKEWOOD SUBDIVISION,
UNIT No. 4

On January 24, 2001 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on January 24, 2001, at Lodi, California.

ORDERED BY:

SUSAN BLACKSTON
CITY CLERK, CITY OF LODI

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK


JENNIFER M. PERRIN
DEPUTY CITY CLERK



CITY OF LODI
Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: Wednesday, February 21, 2001

Time: 7:00 p.m.

For information regarding this notice please contact:

Susan J. Blackston
City Clerk
Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, February 21, 2001** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) intention to vacate the 6-foot public utility easement along the north line of lot 189, Lakewood Subdivision, Unit No. 4

Further, notice is hereby given that the City Council has referred this item to the Planning Commission for discussion and recommended action on Wednesday, January 24, 2001 at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard.

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston
City Clerk

Dated: January 17, 2001

Approved as to form:

Randall A. Hays
City Attorney

RESOLUTION NO. 2001-10

A RESOLUTION OF THE LODI CITY COUNCIL
DECLARING ITS INTENTION TO VACATE THE 6-FOOT
PUBLIC UTILITY EASEMENT ALONG THE NORTH LINE
OF LOT 189, LAKEWOOD SUBDIVISION, UNIT NO. 4

=====

BE IT RESOLVED by the City Council of the City of Lodi as follows:

It is the intention of the City Council of the City of Lodi, acting in accordance with the provisions of Section 8300 et seq. of the Streets and Highways Code of the State of California, to vacate and abandon the public utility easement along the North line of Lot 189, Lakewood Subdivision, Unit No. 4, as shown on Exhibit A attached hereto and thereby made a part hereof.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, February 21, 2001, at the hour of 7:00 p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard.

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of easement vacation conspicuously along the line of the easement hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California.

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to February 21, 2001 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: January 17, 2001

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I hereby certify that Resolution No. 2001-10 was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 17, 2001, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Pennino and Mayor
Nakanishi

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk



CITY OF LODI

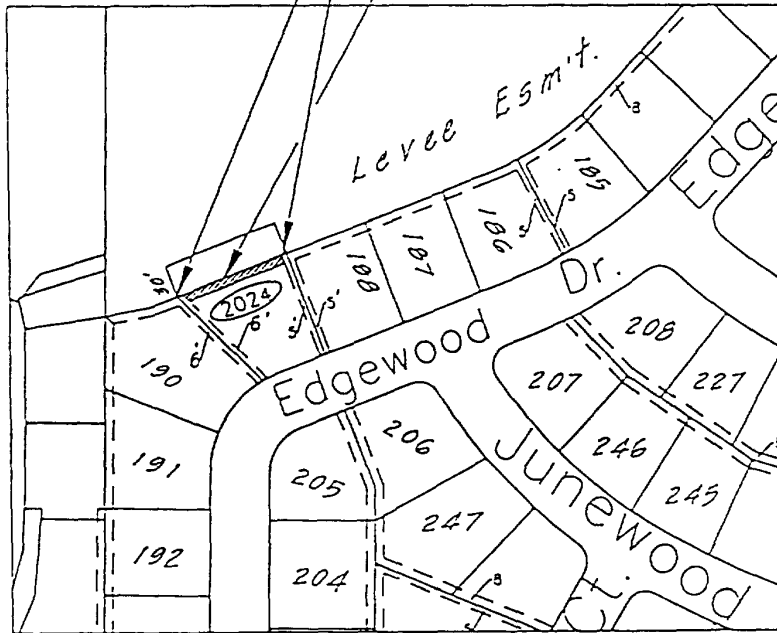
PUBLIC WORKS DEPARTMENT

EXHIBIT A

PUBLIC UTILITY EASEMENT
ABANDONMENT

SAVE AND EXCEPT the West 6-ft and the
East 5-ft of Lot 189.

Proposed abandonment of the
North 6-ft of Lot 189



DETAIL



VICINITY MAP



N.T.S.

**VACATION
MAILING LIST**

PG&E
12 W. Pine Street
Lodi, CA 95240

AT&T
6343 Tam O'Shanter Drive
Stockton, CA 95210


Pacific Bell
44 W. Yokuts Avenue
Stockton, CA 95207

Central Valley Waste Services
P.O. Box 241001
Lodi, CA 95241-9501



MEMORANDUM
Office of the Lodi City Clerk

TO: Public Works Director

FROM: Susan J. Blackston 
City Clerk

DATE: January 23, 2001

SUBJECT: RESOLUTION OF INTENTION TO VACATE THE 6-FOOT PUBLIC UTILITY
EASEMENT ALONG THE NORTH LINE OF LOT 189, LAKEWOOD
SUBDIVISION, UNIT NO. 4

Please be advised that the City Council, at its meeting of January 17, 2001, adopted Resolution No. 2001-10 declaring its intention to vacate the 6-foot public utility easement along the north line of Lot 189, Lakewood Subdivision, Unit No. 4.

Further, the City Council referred the matter to the Planning Commission, which shall be heard on January 24, 2001, and set the matter for Public Hearing before the Lodi City Council on February 21, 2001.

Pursuant to law, the Public Works Department is required to post at least three copies of the subject resolution and map in the area to be abandoned at least 15 days prior to the Public Hearing. Upon completion of the posting, please forward a copy of the Affidavit of Posting to me for our records.

Please contact me should you have any questions.

SJB/JMP

Attachment

RESOLUTION NO. 2001-10

A RESOLUTION OF THE LODI CITY COUNCIL
DECLARING ITS INTENTION TO VACATE THE 6-FOOT
PUBLIC UTILITY EASEMENT ALONG THE NORTH LINE
OF LOT 189, LAKEWOOD SUBDIVISION, UNIT NO. 4

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BE IT RESOLVED by the City Council of the City of Lodi as follows:

It is the intention of the City Council of the City of Lodi, acting in accordance with the provisions of Section 8300 et seq. of the Streets and Highways Code of the State of California, to vacate and abandon the public utility easement along the North line of Lot 189, Lakewood Subdivision, Unit No. 4, as shown on Exhibit A attached hereto and thereby made a part hereof.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, February 21, 2001, at the hour of 7:00 p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard.

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of easement vacation conspicuously along the line of the easement hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California.

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to February 21, 2001 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: January 17, 2001

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I hereby certify that Resolution No. 2001-10 was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 17, 2001, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Pennino and Mayor Nakanishi

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk



CITY OF LODI

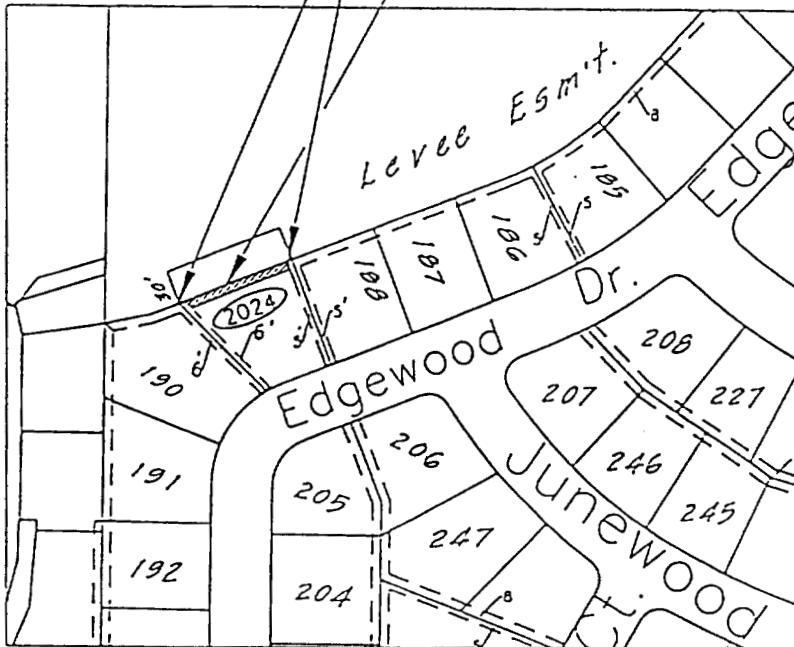
PUBLIC WORKS DEPARTMENT

EXHIBIT A

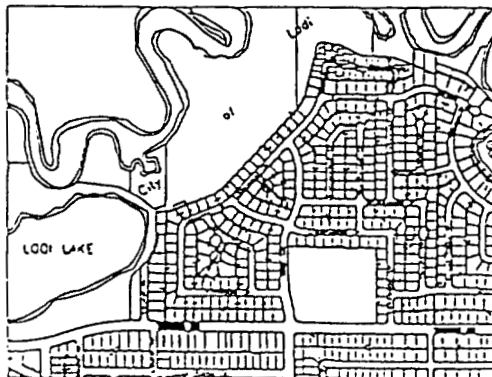
PUBLIC UTILITY EASEMENT
ABANDONMENT

SAVE AND EXCEPT the West 6-ft and the
East 5-ft of Lot 189.

Proposed abandonment of the
North 6-ft of Lot 189



DETAIL



VICINITY MAP



N.T.S.



DECLARATION OF POSTING

On Thursday, January 18, 2001 in the City of Lodi, San Joaquin County, California, a copy of the Resolution of the Lodi City Council Declaring its Intention to Vacate the 6-Foot Public Utility Easement Along the North Line of Lot 189, Lakewood Subdivision, Unit No. 4 (attached hereto, marked Exhibit "A") was posted at the following three locations:

Lodi Public Library
Lodi Police Public Safety Building
Lodi City Hall Lobby
Carnegie Forum Posting Board

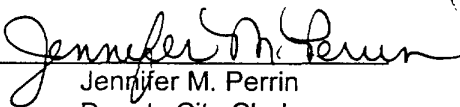
I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 18, 2001, at Lodi, California.

ORDERED BY:

SUSAN J. BLACKSTON
CITY CLERK

Jacqueline L. Taylor
Deputy City Clerk


Jennifer M. Perrin
Deputy City Clerk

RESOLUTION NO. 2001-10

A RESOLUTION OF THE LODI CITY COUNCIL
DECLARING ITS INTENTION TO VACATE THE 6-FOOT
PUBLIC UTILITY EASEMENT ALONG THE NORTH LINE
OF LOT 189, LAKEWOOD SUBDIVISION, UNIT NO. 4

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BE IT RESOLVED by the City Council of the City of Lodi as follows:

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Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

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BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of easement vacation conspicuously along the line of the easement hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California.

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to February 21, 2001 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: January 17, 2001

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NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk



CITY OF LODI

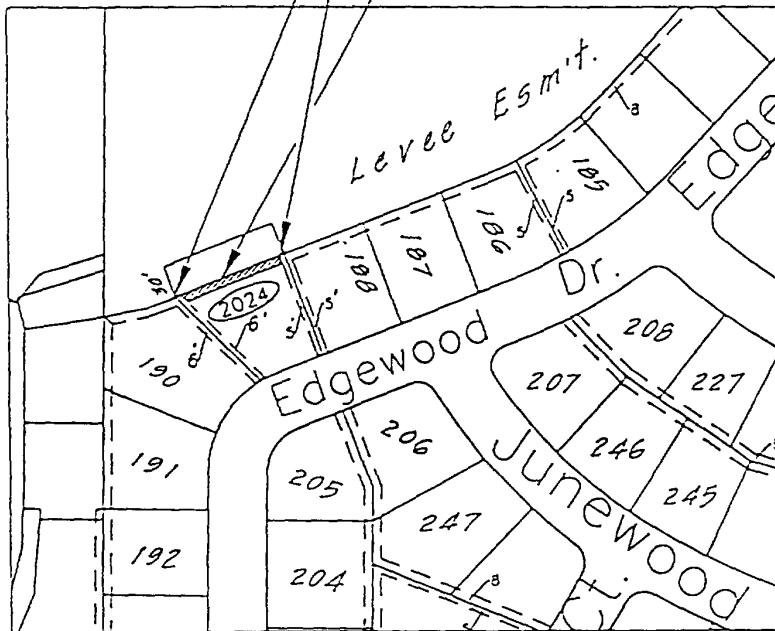
PUBLIC WORKS DEPARTMENT

EXHIBIT A

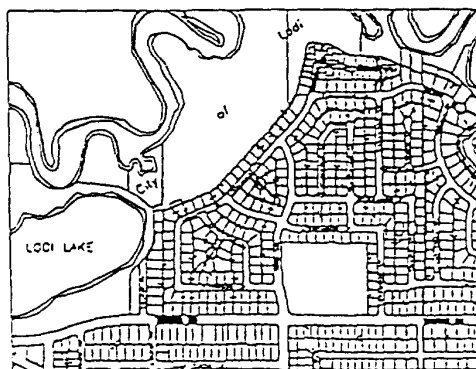
PUBLIC UTILITY EASEMENT
ABANDONMENT

SAVE AND EXCEPT the West 6-ft and the
East 5-ft of Lot 189.

Proposed abandonment of the
North 6-ft of Lot 189



DETAIL



VICINITY MAP



N.T.S.



DECLARATION OF MAILING

**Resolution of the Lodi City Council and Public Hearing Notice Declaring the
Intention to Vacate the 6-Foot Public Utility Easement Along the North Line of Lot
189, Lakewood Subdivision, Unit No. 4**

On January 18, 2001 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 18, 2001, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON
CITY CLERK, CITY OF LODI**

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK


JENNIFER M. PERRIN
DEPUTY CITY CLERK



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: Wednesday, February 21, 2001

Time: 7:00 p.m.

For information regarding this notice please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, February 21, 2001 at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) intention to vacate the 6-foot public utility easement along the north line of lot 189, Lakewood Subdivision, Unit No. 4

Further, notice is hereby given that the City Council has referred this item to the Planning Commission for discussion and recommended action on Wednesday, January 24, 2001 at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard.

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston
City Clerk

Dated: January 17, 2001

Approved as to form:

Randall A. Hays
City Attorney

RESOLUTION NO. 2001-10

A RESOLUTION OF THE LODI CITY COUNCIL
DECLARING ITS INTENTION TO VACATE THE 6-FOOT
PUBLIC UTILITY EASEMENT ALONG THE NORTH LINE
OF LOT 189, LAKEWOOD SUBDIVISION, UNIT NO. 4

=====

BE IT RESOLVED by the City Council of the City of Lodi as follows:

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Dated: January 17, 2001

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AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Pennino and Mayor Nakanishi

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk



CITY OF LODI

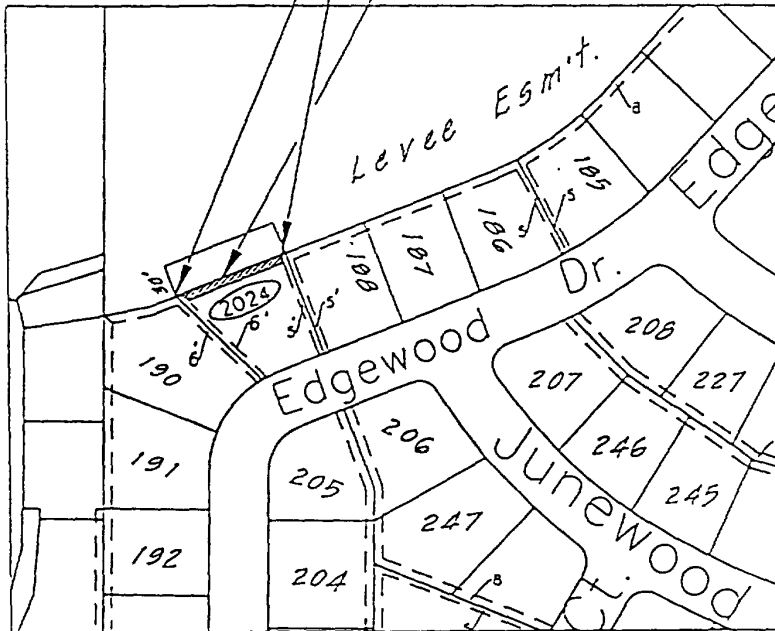
PUBLIC WORKS DEPARTMENT

EXHIBIT A

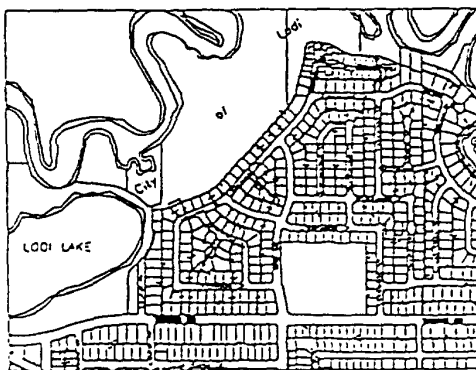
PUBLIC UTILITY EASEMENT
ABANDONMENT

SAVE AND EXCEPT the West 6-ft and the
East 5-ft of Lot 189.

Proposed abandonment of the
North 6-ft of Lot 189



DETAIL



VICINITY MAP



N.T.S.



MEMORANDUM
Office of the Lodi City Clerk

TO: Community Development Director

FROM: Susan J. Blackston *SJB*
City Clerk

DATE: January 18, 2001

SUBJECT: A Resolution Of The Lodi City Council Declaring Its Intention To Vacate The
6-Foot Public Utility Easement Along The North Line Of Lot 189, Lakewood
Subdivision, Unit No. 4

Please be advised that the Lodi City Council at its regular meeting of January 17, 2001, adopted a resolution declaring its intention to vacate the 6-foot public utility easement along the north line of Lot 189, Lakewood Subdivision, Unit No. 4 (Exhibit A).

Further, the City Council referred the matter to the Planning Commission for its recommendation and set the matter for a Public Hearing before the Lodi City Council on February 21, 2001.

SJB/JMP

Attachment

cc: Public Works Department

RESOLUTION NO. 2001-10

A RESOLUTION OF THE LODI CITY COUNCIL
DECLARING ITS INTENTION TO VACATE THE 6-FOOT
PUBLIC UTILITY EASEMENT ALONG THE NORTH LINE
OF LOT 189, LAKEWOOD SUBDIVISION, UNIT NO. 4

=====

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Dated: January 17, 2001

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NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk



CITY OF LODI

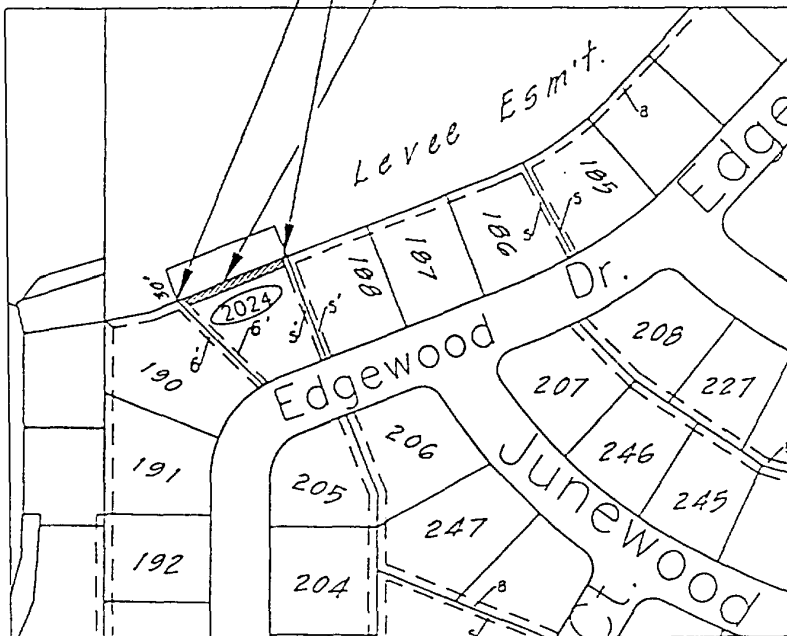
PUBLIC WORKS DEPARTMENT

EXHIBIT A

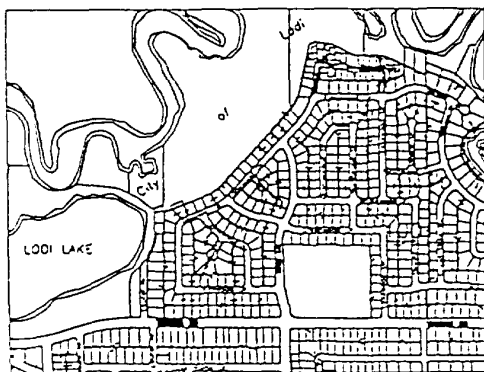
PUBLIC UTILITY EASEMENT
ABANDONMENT

SAVE AND EXCEPT the West 6-ft and the
East 5-ft of Lot 189.

Proposed abandonment of the
North 6-ft of Lot 189



DETAIL



VICINITY MAP



N.T.S.